



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GAU 1651
#6
Elect
6/19/00

In Re the Application of:

HOWELL et al.

Serial No.: 09/444,144

Filed: November 20, 1999

Attorney File No.: 4369-1
(formerly Cyto001)

For: METHOD FOR ENHANCING
IMMUNE RESPONSES IN
MAMMALS

) Group Art Unit: 1651

) Examiner: P. Patten

RECEIVED

JUN 15 2000
RESPONSE TO RESTRICTION
REQUIREMENT

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO
COMMISSIONER OF PATENTS AND TRADEMARKS,
WASHINGTON, DC 20231 ON 6-3-00

SHERIDAN ROSS P.C.

BY:

Chasity C. Rossum

Chasity C. Rossum

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This response is in reply to the Office Action mailed on May 11, 2000, restricting the claims to the following groups:

Group I: claims 1-43; and

Group II: claims 44-49.

Although Applicants traverse the restriction requirement and submit the search and examination of all the claims would not pose a serious burden on the Examiner, the Applicants nevertheless elect the Group I claims for further prosecution in this application.

Since the Group I claims are elected, Applicants are additionally required to elect a single species from each of the groups identified in the Office Action. Applicants accordingly elect the following species from each of the following groups:

- (a) inert medium: macroporous bead
- (b) inhibitor: soluble receptors for tumor necrosis factor α
- (c) binding partner: polyclonal antibody
- (d) biological fluid: plasma

With respect to the biological fluid group, Applicants are confused by the species listed under this group in the Office Action, which appear to be similar to the species listed under the "binding partner" group. In an attempt to clarify what is meant by the term "biological fluid," Applicants direct the Examiner's attention to page 17, lines 7-21 of the specification and claims 35, 36, 43, 45 and 48. As a result, Applicants have selected plasma as a species of biological fluid in an attempt to comply with the election of species requirement.

Although no fees are believed to be due with this response, please debit Deposit Account No. 19-1970 should any fees be required.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Theresa A. Brown
Registration No. 32,547
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 8 June 2000

RECEIVED
JUN 15 2000
TECH CENTER 1633/2899